

**COUNCIL PROCEEDINGS
REGULAR MEETING
April 6, 2020**

A regular meeting of the Philip City Council was held on Monday, April 6, 2020, at 7:00 p.m. in the Community Room of the Haakon Co. Courthouse. Present were Mayor Michael Vetter, Council Members Trisha Larson, Brit Miller, Marion Matt, Marty Gartner, Scott Pinney and Terri Pelle. Also present were City Administrator Brittany Smith, Finance Officer Monna Van Lint; and later, City Attorney Stephanie Trask (via telephone) and Chelsea Tobin with The Pioneer Review. Other attendees also listened via the Zoom meeting.

Absent: None.

Motion was made by Pinney, seconded by Pelle to approve the agenda as presented. Motion carried.

Motion was made by Miller, seconded by Gartner to approve the minutes of the Mar. 2nd meeting as published in The Pioneer Review and on the City’s website. Motion carried.

Motion was made by Matt, seconded by Pinney to approve the minutes of the Mar. 16th and Mar. 23rd special meetings as published in The Pioneer Review and on the City’s website. Motion carried.

Motion was then made by Miller, seconded by Gartner to approve the payment of the bills from the appropriated funds as listed below. Motion carried.

Gross Salaries – Mar. 31, 2020: Mayor & Council - \$4715.00; Admin - \$3804.79; Finance - \$3529.06; Police - \$6493.06; Water - \$14150.74

Colonial Life	Employee Supplemental Ins 3/20	196.60
Credit Collections Bureau	Garnishment 3/20	103.58
EFTPS	SS/Medicare/Withholding 3/20	6898.17
NE Child Support Pay Ctr	Garnishment 3/20	659.18
SDRS	Employee Retirement 3/20	3660.62

Airport Hangar / Apron Project:

KLJ	Const Admin/Eng thru 3/7/20	3718.14
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This Month's Bills:

American Red Cross	P Facility Fee 2020	360.00
AT&T Mobility	Cell Phone 2-3/20	135.42
Bad River Law Prof LLC	Atty/Legal Fees 3/20	420.00
Best Western – Vermillion Inn	PD Room 3/20	231.00
Brant’s Electric	RS Bldg Electric 3/20	738.28
Cenex Harvest States	Fuel 2-3/20	899.11
Century Business Products	Copier Maint 2-3/20	74.13
Certified Pool Trainers of IA & MN	Pearson CPO Reg 3/20	395.00
CNH Productivity Plus Acct	Supplies/Repairs 2-3/20	78.02
Corporate Trust – US Bank Trust	SRF #4 Pay #23 4/20	11326.05
	SRF #5 Pay #23 4/20	7905.24
D&T Auto Parts	Supplies/Repairs 2-3/20	137.34
Delta Dental	Dental Ins 4/20	671.80
1 st Nat’l Bank – Philip	UB Postage 3/20	129.05
Golden West Telecom	Telephone/Internet 2-3/20	577.47

Haakon Co Treasurer	Office Rent 4/20	500.00
	PD Software Maint 2020	986.13
Hanson Oil	Fuel/LP 2-3/20	779.90
Headlee Enterprises Inc	Animal Srv 2/20	149.45
Health Pool of SD	Health Ins 4/20	9496.93
Hometown Computer Service	PD Repairs 2/20	50.85
Kieffer Sanitation	368 Residential Collections 3/20	4489.60
Lyle Signs Inc	No Parking Signs 3/20	198.00
McLeod's Printing & Office Supply	Election 3/20	12.60
McQuirk Ditching	Hone St Sewer Backhoe 3/20	1678.57
MG Oil Co	Fuel 2/20	39.17
Morrison's Pit Stop	MG Tire Repair 2/20	83.00
Moses Building Center	Bldg Supplies/Repairs 2-3/20	64.50
O'Connell Construction Inc	Base Course 3/20	453.12
Optilegra	Vision Ins 4/20	80.76
Philip Chamber of Commerce	2020 Appropriation	2000.00
Philip Hardware	Supplies 2-3/20	224.19
Philip Motor Inc	Repairs 3/20	37.00
Pioneer Review	Publishing 3/20	509.23
Rafter, Scott	Dep Refund 4/20	100.00
Schofield Welding	Supplies 2/20	83.90
Scotchman Industries	S Postage 3/20	51.75
SD Dept. of Revenue	Sales Tax Payable 3/20	409.56
	W/S Testing 3/20	230.00
SD Federal Surplus Property	FD Supplies 2/20	225.00
The Philip Pit Stop	Fuel 3/20	1267.54
VISA – UMB Bank	Travel/Supplies 2-3/20	510.31
West Central Electric Coop	Electric 1/29-2/29/20	3286.85
	Electric 2/29-4/1/20	3288.80
WR/LJ Rural Water Systems	3,196,000 gals 3/20	3995.00
	Contract Min. 3/20	2500.00
	Airport Water 3/20	67.50
	South Shop Water 3/20	20.00
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Total Expenditures – 4/6/20		\$65,665.26

Old Business:

None.

New Business:

Airport Hangar Building / Apron Reconstruction Projects:

The construction update noted that the apron reconstruction project is anticipated to start in May 2020.

Motion was made by Pinney, seconded by Gartner to approve Amendment No. 1 to the Grant Agreement (AIP 3-46-0043-12-2019) with the Federal Aviation Administration and authorize the Mayor and Attorney's signatures thereon. Motion carried with all members voting aye.

Bad River Shoreline Bank Repair Project:

Motion was made by Gartner, seconded by Miller to approve the Category B project which includes the temporary placement of large sand filled sacks along and up the shoreline. This is contingent upon approval from the Federal Emergency Management Agency and US Army Corps of Engineers. (For the

record, an application has been submitted to the US Army Corps of Engineers to complete the above noted temporary work as well as the Category D project.) Motion carried.

Council reviewed the updated Scope of Work and mitigation options for the Category D project which includes the permanent work to restore the shoreline bank.

Motion was made by Miller, seconded by Gartner to approve the Agreement for Professional Engineering Services with SPN & Associates for the Category D project. Motion carried.

Emergency Management:

Following the March 2nd meeting, a letter of commitment was submitted to the participate in the Haakon Co. Multi-Jurisdictional Local Hazard Mitigation Plan.

Building & Flood Plain Development Permits:

Dusty & Brooke Formanek – renew permit issued on 5/6/2019; Brian Jankord – fence; Dane Nelson – fence; and, Mike & Katie Schultz – fence.

Following review, motion was made by Matt, seconded by Pinney, to approve the above listed permits as presented. Motion carried.

At 7:10 p.m., as previously advertised, a public hearing was held on the request of the following alcoholic beverage licenses.

Retail On/Off Sale Malt Beverage & SD Farm Wine License (RB)

The Incorporated Steakhouse and Lounge

Lots 16 & 17, Block 06, Original Town, City of Philip, SD (parcel #8912)

Package Off-Sale Liquor License (#PL-4742) Transfer

From: The Incorporated Steakhouse and Lounge

Lots 16 & 17, Block 06, Original Town, City of Philip, SD (parcel #8912)

To: MG Oil Company - Corner Pantry #20 Philip – 101 W. Pine St., Ste 1

Lots 05, 06 & 07, Block 01, Original Town, City of Philip, SD (parcel #8853 & #8854)

It was noted that the property taxes are current to date and no concerns were expressed by the police department personnel.

Following review and with no one appearing for or against the requested license applications, motion was made by Miller, seconded by Gartner to approve the above Retail On/Off Sale Malt Beverage & SD Farm Wine License; and, Package Off-Sale Liquor License Transfer. Motion carried with all members voting aye.

Motion was made by Matt, seconded by Gartner to approve the Library’s Survey for fiscal year 2019 as presented. Motion carried with all members voting aye.

The following L/P Propane bids received last month are as follows.

	<u>Mar. 9, 2020</u>
Hansen Oil Company	\$1.19/gal.
Midwest Cooperatives	\$1.30/gal.

Departmental Reports:

Administration

Motion was made by Larson, seconded by Miller to authorize soliciting a 3-year contract for audit and annual report preparation from Wohlenberg, Ritzman & Co. Motion carried.

Motion was made by Gartner, seconded by Larson to approve the second reading the of the following Ordinance #2020-01. Motion carried with Matt abstaining.

**ORDINANCE #2020-01
2020 SUPPLEMENTAL APPROPRIATIONS ORDINANCE
COMMUNITY BETTERMENT COMMITTEE – PARK EQUIPMENT PURCHASE**

WHEREAS, the City of Philip, South Dakota, is the real property owner of the Firehall Park maintained by the Community Betterment Committee (CBC);

WHEREAS, the CBC is desiring to make additional improvements including that of purchasing new park benches; and,

WHEREAS, the City of Philip supports the CBC’s efforts in maintaining the park property and will purchase the new equipment on their behalf; and,

WHEREAS, the City of Philip did not anticipate this responsibility when preparing the fiscal year 2020 appropriations.

NOW, THEREFORE, BE IT ORDAINED, that the following Supplemental Appropriations Ordinance be and hereby is adopted in order to recognize the revenues and expenses that will be forthcoming for the HCYW park equipment purchase.

	GENERAL FUND
45220 RECREATION	
43411 Mach & Equip – NonCap	\$ 2,800.00
<u>TOTAL RECREATION</u>	<u>\$ 2,800.00</u>
<u>TOTAL APPROP. & ACCUM.</u>	<u>\$ 2,800.00</u>

MEANS OF FINANCE

The following designates the fund or funds that money derived from the following sources is applied to.

	GENERAL FUND
36700 CONTRIBUTIONS/DONATIONS	
36700 Contributions & Donations	\$ 2,800.00
<u>TOTAL CONTRIBUTIONS/DONATIONS</u>	<u>\$ 2,800.00</u>
<u>TOTAL MEANS OF FINANCE</u>	<u>\$ 2,800.00</u>

Dated this 6th day of April 2020.

/s/ Michael Vetter, Mayor

ATTEST:

/s/ Monna Van Lint, Finance Officer

Passed First Reading: Mar. 2, 2020
Passed Second Reading: Apr. 6, 2020
Yeas: 6 Nays: 0
(Published: Mar. 12 & Apr. 16, 2020)

Council discussed providing temporary modifications to the current utility practices during the COVID-19 pandemic. It was noted that some cities have offered to waive late fees and/or disconnections during this time. A draft payment plan application and sample resolutions were reviewed.

Following, motion was made by Gartner, seconded by Matt to approve the Payment Plan Application and suspend late fees if the customer(s) maintains compliance with his/her approved repayment plan. The application is available in the Finance Office and on the City website. Each application will be presented for the Council's approval. Motion carried.

Police Department

The monthly report was reviewed.

Motion was made by Miller, seconded by Matt to authorize hiring an additional officer during Scotty Philip Days at \$16.00 per hour plus mileage. Motion carried.

Rubble Site (Quarterly)

The report included a reminder that the summer month's schedule will start on May 1st, 2020.

Street Dept.

The monthly report was reviewed.

Motion was made by Gartner, seconded by Miller to approve a community service worker. Motion carried.

Council discussed an opportunity to survey Basin St. and/or in conjunction with the survey of the adjoining property (Outlot 1 and Lot 13 of Outlot 1, Patterson's Addition) owned by Richard, Sally and Brian Jankord. It was noted that the Jankord's are planning some modifications to their business that warrants the need for a survey. A quote from SPN & Associates reflected the following: Basin St. - \$2,800; Jankord property - \$3,400; and, Basin St. and Jankord property - \$4,100.

Following, motion was made by Matt, seconded by Gartner to approve the quote from SPN & Associates to survey Basin St. and Jankord's property at a cost of \$4,100. The expense will be shared 50/50 between the City and Jankord's. Motion carried.

Motion was made by Pinney, seconded by Miller to authorize resubmitting a grant application to TC Energy for the May St. sidewalk project. Motion carried.

Swimming Pool

Motion was made by Pinney, seconded by Pelle to approve the quote from Associated Supply Company, Inc. to replace the Pulsar ChemTroller System with an Accu-Tab 3070 Chlorinator at the cost of \$3,218.50. This includes the installation and trade-in of the Pulsar System that was purchased for \$7,895 in 2018. Motion carried.

The Health/Rec. Committee will schedule a meeting during the week of April 20th to review pool applicants and policies for 2020.

Water Dept.

The quarterly report was reviewed. It was reported that the water loss for March has increased further to 24.32% and personnel will be working to locate any leaks.

Training/Travel:

PWM/UB Pearson will be attending CPO school on Apr. 21st – 22nd in Rapid City unless it is rescheduled to a later date.

PWD Reckling and PWMI Coyle will be attending the 2020 Mosquito Workshop in Rapid City when it is rescheduled.

At 7:30 pm, motion was made by Miller, seconded by Matt to enter into executive session per SDCL 1-25-2(1)(3), personal and legal matters. Motion carried.

At 7:42 pm, motion was made by Pinney, seconded by Gartner to come out of executive session with the following action.

Motion was made by Matt, seconded by Gartner to acknowledge the City’s compliance with the Families First Coronavirus Response Act (FFCRA) and approve the Emergency Sick Leave Request Form. In addition, the following first responders are excluded from the Extended Family Medical Leave Act portion of the FFCRA: law enforcement personnel. Motion carried with all members voting aye.

Public Comments:

Mayor Vetter provided an overview of Governor Noem’s press conference held earlier today. Governor Noem advised that she would be issuing a new Executive Order (EO) that will follow EO 2020-08 with some amendments. More specifically, the word “should” will be changed to “shall”; and, the directives will be extended to May 31, 2020.

It was noted that the new EO was not available at the time of the meeting. Once it is available, it will be shared with the public.

In Other Business:

The next regular meeting will be held on Monday, May 4th at 7:00 p.m. in the Community Room of the Haakon Co. Courthouse and will be available on Zoom again.

With no further business to come before the Council, Mayor Vetter declared the meeting adjourned at 7:53 p.m.

/s/ Michael Vetter, Mayor

ATTEST:

/s/ Brittany Smith, City Administrator

(Published once on April 16, 2020 at approximate cost of \$_____)